

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

BARRY S. FRANKLIN,

04-CV-1603-JE

Plaintiff,

ORDER

v.

JO ANNE BARNHART, Commissioner  
of the Social Security  
Administration,

Defendant.

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**BROWN, Judge.**

Magistrate Judge John Jelderks issued Findings and Recommendation (#46) on October 28, 2005, in which he recommended the Court deny Plaintiff's Motion for an Award of Attorneys Fees (#38).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9<sup>th</sup> Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8<sup>th</sup> Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

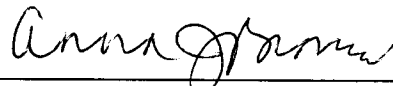
#### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge Jelderks's Findings and Recommendation (#46) and, accordingly, **DENIES** Plaintiff's Motion

for an Award of Attorneys Fees (#38).

IT IS SO ORDERED.

DATED this 6<sup>th</sup> day of January, 2006.

A handwritten signature in cursive script, appearing to read "Anna J. Brown", is written above a horizontal line.

ANNA J. BROWN

United States District Judge